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IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

E-FILED - 1/12/06

UNITED STATES OF AMERICA,)	No. CR 05-00641-RMW
)	
Plaintiff,)	
)	STIPULATION AND ORDER
v.)	CONTINUING STATUS CONFERENCE
)	AND EXCLUDING TIME
YE TENG WEN,)	
aka Michael Wen, and)	
HAO HE,)	
aka Kevin He,)	
)	
Defendants.)	

The United States of America, by and through Assistant U.S. Attorneys Mark L. Krotoski, and Matthew A. Lamberti, and defendant Ye Teng Wen, by and through defense counsel Vicki Young, and defendant Hao He, by and through defense counsel Richard Pointer, hereby AGREE AND STIPULATE to continue the status conference set for January 17, 2006 at 9:00 a.m. to February 13, 2006 at 9:00 a.m. The parties further AGREE AND STIPULATE that time should be excluded from January 17, 2006, through and including February 13, 2006, for continuity of counsel and to provide counsel reasonable time to prepare, pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A) and (B)(iv). In particular, in this copyright infringement case, the discovery already provided and made available involves numerous recorded

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1 conversations and boxes of seized materials and documents requiring extensive review. The
 2 defense counsel need additional time to listen to the recorded conversations and review other
 3 evidence. Accordingly, the United States and the defendants agree that granting the requested
 4 exclusion of time under the Speedy Trial Act will serve the interests of justice and outweigh the
 5 interests of the public and defendant in a speedy trial.

6 DATED: January 9, 2006

KEVIN V. RYAN
 United States Attorney

/S/

8
 9 MARK L. KROTOSKI
 MATTHEW A. LAMBERTI
 Assistant U.S. Attorney

/S/

11 DATED: January 4, 2006

VICKI YOUNG
 Counsel for Defendant Ye Teng Wen

/S/

14 DATED: January 6, 2006

RICHARD POINTER
 Counsel for Defendant Hao He

ORDER

17 In light of the parties' agreement to exclude time, and based upon the demonstrated need for
 18 excludable time set forth above, IT IS HEREBY ORDERED THAT: (1) the status conference set
 19 for January 17, 2006 at 9:00 a.m. is continued to February 13, 2006 at 9:00 a.m.; and (2) the
 20 period from January 17, 2006 at 9:00 a.m. through and including February 13, 2006, shall be
 21 excluded from all Speedy Trial Act calculations pursuant to 18 U.S.C. § 3161(h)(8)(A) and
 22 (B)(iv).

23 IT IS SO ORDERED.

24 DATED: January _12_, 2006

/s/ Ronald M. Whyte
HON. RONALD M. WHYTE
 United States District Court Judge